

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

(Filed: March 4, 2015)

UNPUBLISHED

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ROBERT HANDEYSIDE,

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No. 14-1137V

Petitioner,

*

v.

Special Master Dorsey

*

SECRETARY OF HEALTH
AND HUMAN SERVICES,

*

Dismissal Under Vaccine Rule 21(a);

Joint Stipulation to Dismiss.

*

Respondent.

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Scott William Rooney, Nemes, Rooney, P.C., Farmington Hills, MI, for petitioner.

Darryl R. Wishard, U.S. Department of Justice, Washington, D.C., for respondent.

ORDER CONCLUDING PROCEEDINGS¹

On November 21, 2014, Robert Handeyside (“petitioner”) filed a petition *pro se* for compensation pursuant to the National Vaccine Injury Compensation Program, 42 U.S.C. §§ 300aa-1 to -34 (2006).² Petitioner alleged that, as a result of receiving “a series of vaccination shots” in September 2011, he suffered from Guillain-Barre Syndrome (GBS). On January 21, 2015, Mr. Rooney entered a consent motion to substitute as counsel, which was subsequently

¹ Because this unpublished order concluding proceedings contains a reasoned explanation for the undersigned’s action in this case, the undersigned intends to post this decision on the website of the United States Court of Federal Claims, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction “of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy.” Vaccine Rule 18(b). Otherwise, the entire decision will be available to the public. *Id.*

² The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755, codified as amended, 42 U.S.C. §§ 300aa-1 to -34 (2006) (Vaccine Act or the Act). All citations in this decision to individual sections of the Vaccine Act are to 42 U.S.C.A. § 300aa.

granted. On February 25, 2015, the parties filed a Joint Stipulation of Dismissal requesting that the action be dismissed.³

Accordingly, pursuant to Vaccine Rule 21(a) the above-captioned case is hereby **dismissed without prejudice**. The Clerk of the Court is hereby instructed that a **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

IT IS SO ORDERED.

s/Nora Beth Dorsey

Nora Beth Dorsey

Special Master

³ Although the parties filed the stipulation requesting that a decision dismissing the case be issued with prejudice, the undersigned's chambers contact the parties to advise that under Vaccine Rule 21(a), an order concluding proceedings would be issued, dismissing the case without prejudice. While counsel for respondent preferred that the case be dismissed with prejudice, counsel did not object to having the case dismissed without prejudice. Counsel for petitioner also had no objection to dismissing the case without prejudice.